

REMARKS

Applicants have carefully considered the February 18, 2005 Office Action, and the amendments above together with the comments that follow are presented in a bona fide effort to address all issues raised in that Action and thereby place this case in condition for allowance. Claims 14-24 are pending in this application. Claims 14, 20, 21 and 22 have been amended. Support for the amendment to claim 14 is found at page 12, lines 6-12 and Figure 4A. Claims 20, 21 and 22 have been amended to provide antecedent support for the claim term “fuel container”. Applicants submit that by the present Amendment and Remarks, this application is placed in clear condition for immediate allowance. No new matter has been entered. Accordingly, entry of the present Amendment and Remarks, and favorable consideration, are respectfully solicited.

Applicants again respectfully request that the U.S. Patent & Trademark Office change its records to include the correct Attorney Docket Number for the present application. The correct Attorney Docket Number is **62807-041**.

Claims 14-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yonetsu et al. (U.S. Pat. No. 6,506,513, hereinafter “Yonetsu”) in view of Hockaday et al. (U.S. Pat. App. Pub. No. 2002/0182459, hereinafter “Hockaday”). Applicants respectfully traverse the rejection.

As recited in amended independent claim 14, the fuel cell power generation equipment comprises an anode for oxidizing liquid fuel, a cathode for reducing oxygen, an electrolyte membrane/electrode assembly (MEA) provided between the anode and the cathode, a fuel container for holding the liquid fuel, and a plurality of air vent holes provided in a wall surface of the fuel container. At least one air vent hole is kept unsealed from the liquid fuel. Further, at

least one air vent hole has a gas/liquid separation function and is adapted to discharge a gas outside the fuel container. The gas is formed by an oxidation of the liquid fuel at the anode.

Yonetsu, at col. 5, lines 45-67, discloses a fine hole (6) which adjusts pressure. This fine hole does not let gas (e.g., CO₂) formed by oxidation at an anode go outside of the fuel container, as does the air vent hole(s) in the present claimed subject matter. Indeed, Yonetsu is directed to a laminate type direct methanol fuel cell (DMFC) in which MEAs are laminated approximately in a vertical direction to the surface of MEA. Yonetsu discloses the use a mechanism for avoiding a negative pressure, i.e., a mechanism for taking in the air from outside the tank in accordance with the flow of the liquid fuel out of the fuel tank. This arrangement prevents the inner pressure of the fuel tank from becoming negative relative to the cell body. The fine hole 6 can be formed as a mechanism against the negative pressure on the side wall in the upper portion of the fuel tank 1 as shown in FIG. 1.

In the equipment of amended claim 14, at least one air vent hole “has a gas/liquid separation function” so that the fuel container has an omnidirectional property. As disclosed in the specification, the fuel does not spill from the omnidirectional vent hole even when the vent hole faces downward. See specification at page 45, lines 11-15. In contrast, Yonetsu does not disclose or suggest such structure or advantage. There is no gas/liquid separation function. Yonetsu, as described above at col. 5, lines 45-67, discloses that the fine hole is formed as a mechanism against the negative pressure on the side wall of the fuel tank. Thus, fine hole 6 does not have a property of venting gases, such as oxidation gases, formed during power generation in the cell.

Hockaday discloses the separation of methanol and hydrogen gas formed by hydrolysis in a fuel container (7) by use of a membrane. Hockaday does not disclose or suggest that gas

formed by oxidation at an anode is discharged to outside of a fuel container through air vent hole(s), as required in claim 14. Hockaday discloses a fuel cell which is equipped to vent gasses which occur during power generation in a cell, but the technique separates methanol and hydrogen gas by use of a membrane. See numbered paragraph [0066].

Moreover, neither reference discloses or suggests at least one air vent hole that has a gas/liquid separation function and at least one air vent hole that is kept unsealed from the liquid fuel in the fuel container. Thus, neither reference, alone or in combination, teaches each feature of the claimed subject matter.

Thus, even if the applied references are combined as suggested by the Examiner, and an Applicants do not agree that a requisite fact-based motivation has been established, the claimed subject matter would not result. Accordingly, the rejection under 35 U.S.C. § 103 is not legally valid and should be withdrawn.

It is believed that all pending claims are now in condition for allowance. Applicants therefore respectfully request an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicants' representative at the telephone number shown below.

Application No.: 10/080,562

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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